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promise—the law was applied to the Territory of Louisiana, which was slave territory. The line of 36° 30' was drawn through the territory, and whenever was prohibited north of that line the division was complete. It was unnecessary to say any thing about the country below, because, saying slavery existed as a boundary, it was decided by making a division of the territory between the slaveholding and the non-slaveholding States. I have said that, in this case, where the whole territory is in dispute, there should be a distinct application to the one side and to the other, in order that we might have the full benefit of the spirit of the Missouri compromise. I am not a little anxious for wisdom, but I think that the citizens of the United States are engaged in controversy as to the right to take a particular species of property into the Territories; that this controversy, so painful, injurious, and dangerous in its tendency, and seemingly so irreconcilable, might be adjusted, without compromise of principle, by a division of the territory between the two sections of the Union; so the one to have the right to abolish, and the other to have equal possession below the line. For, sir, when you admit slavery into the territory, you do not exclude the white laborer. It is a great fallacy, which has been repeatedly here promulgated, to suppose so. No, sir; slave labor forms the sub-structure on which white labor is elevated, and he who seeks for the extinction of the one, must also seek for the extinction of the other. Political equality does exist, must be pointed to the slaveholding States. Such, at least, I know to be the case among all the white men where I reside, and such I cannot believe to be the case where, as in the non-slave States, white men are sunk to mere manual occupations.

Mr. DAVIS. I noticed some closing remarks of that speech, which I hoped would have had a tendency rather to quiet than to excite controversy. Expression was given to the feelings which I have always entertained of an abiding love for all portions of the country, and no petty sectional hostility toward any has ever found shelter in my breast. I have said that I am not a little anxious for wisdom, and proper to comment on, and, as I think, unkindly. I indicated as the cause of sectional strife, it might be of the destruction of our happy and happiness-conferring Union, the poor, the despicable antipathy to the South because of her institution of African bondage. To this he replies that there is no hostility between the two sections, and that the one is in bondage, but that it is only to the extension of the territory, in which the African may thus be held. He has no hostility, then, it appears, to the fact of our holding the African race in bondage in one place, but he has insuperable objections to our doing so in another. Why this? Is it for the sake of the African? No, sir; for every man must understand that diffusion, not concentration, is for the benefit of the slave. Is it for the benefit of the white race? Not at all. Every one must understand that as the white population predominates over the black, the safety and happiness of both are secured; and further, all must understand that if the African is not in proportion to the whites inhabiting the country, there is no policy which would perpetuate and rivet that institution forever on this country so surely as that which confines the slaves to the present limits in which they are held. There must be a door opened by which they may go out, and the African race, under the dominion of a race who understand their habits and constitutional peculiarities must admit this. And yet the policy is here advocated, day after day, by those who claim to be the peculiar friends of emancipation, to draw around us a barrier to prevent the exodus of the slaves, and dam them up in the small territory which they occupy, where, Mr. DAVIS, I think, the door of emigration and the opportunity will augment also, until he only can deny that the system must be perpetual who is prepared to see the slave become into master; to convert a portion of the States of this Union into negro possessions; or to witness the more probable result of their extermination by a servile war.

A third remark was made by the gentleman made by the Senator. He assumes that the Mexican States were the creation of the Federal Government, and not the Federal Government the creation of the States. Now, sir, the Mexican Republic, like our own, passed from the colonial condition into one of national independence; and when they organized Government, they assumed the dominion of their own territory. This nation adopts for a form of government a popular representative and federal republic. The States were to be free and independent in the administration of their domestic affairs. The provinces became States, and their republic was a confederation framed after the model of these United States.

It was declared "that these articles of this constitution shall not be subject to alteration," &c.

Mr. BALDWIN. I wish to ask the Senator whether, by the constitution of Mexico, California and New Mexico were States or Territories?

Mr. DAVIS. Territories, I think.

Mr. WALKER. That I may give the Senator the advantage of this position, I will ask him a question. Suppose the Government of Mexico had been established on the plan of Equals, and that afterwards the Congress created under that plan had taken our constitution and adopted it literally, changing the words that absolutely required it, as for instance, "the people," "the States," "the Territories" have had the same effect as it would here?

Mr. DAVIS. That involves a great many questions.

Mr. WALKER. I wish him to view it merely in the light of taking the consolidated government, which was in fact the plan of Equals, and suppose that he had adopted the plan of Equals, and that the Congress created under that plan had adopted our constitution, would it have had the same effect as it would here?

Mr. DAVIS. Certainly not. But I only speak of the case as presented: to wish the revolution the vicereignty fall, and a confederation of States, free and independent, adopted defined the power of each department of the Federal Government—there, as here, the depositary of the general trusts. I can only answer for things as I understand them to exist, not to supposed cases and their effects.

I had occasion to state to the Senator on former occasion that I was a member of a person, and recognised in a twofold aspect as a person and as property, the laws of the State from which he is carried may follow him, and affect his condition in the State to which he may be migrated. The slave may have by law a right to his liberty at a certain age; and if he be carried away before he reaches that age, he is not a slave, and the laws of the State to which he is carried, as here, the depositary of the general trusts. I can only answer for things as I understand them to exist, not to supposed cases and their effects.

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